

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

VALVETECH, INC.,	:	
Plaintiff,	:	
v.	:	Case No. 6:17-cv-06788-FPG
AEROJET ROCKETDYNE, INC.,	:	
Defendant.	:	

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**PLAINTIFF VALVETECH, INC.’S RESPONSE TO DEFENDANT’S NOTICE OF  
SUBMISSION OF VALVETECH’S OBJECTIONS TO DEPOSITION DESIGNATIONS**

On October 6, 2023, Defendant Aerojet Rocketdyne, Inc. (“Aerojet”) submitted Plaintiff ValveTech, Inc.’s (“ValveTech”) objections to Aerojet’s deposition designations, purportedly pursuant to Local Rule 30(c)(4). *See* Dkt. 308. Aerojet’s submission should be disregarded.

First, Aerojet’s notice was not a motion *in limine*, as required by the Rule. *See* L.R. 30(c)(4). Second, Aerojet’s notice was untimely, and should be deemed waived as late. *See* Ex. A (counsel for ValveTech discussing deadline for L.R. 30(c)(4) MILs with counsel for Aerojet). Third, even if Aerojet’s notice were a motion *in limine* and had been timely, it fails to engage with the merits of ValveTech’s objections, and thus provides no grounds for overruling any of them.

To the extent Aerojet is permitted to address ValveTech’s objections to Aerojet’s deposition designations at a later date, despite failing to timely or substantively comply with L.R. 30(c)(4), ValveTech reserves the right to respond to whatever substantive arguments Aerojet makes.

October 9, 2023

By: /s/ John D. Esterhay

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